

Serial No. **51176**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **AUG 6 1987**

Returned to applicant for correction

Corrected application filed **Map filed AUG 6 1987**

The applicant **Newmont Exploration Ltd.**

P.O. Box 368 of **Elko**
Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make S application for permission to change the
State and Zip Code No.

Point of Diversion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit 50080**
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.)

1. The source of water is **Underground**
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **6.0 cfs**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Mining and Milling**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **Mining and Milling**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T 32 N,**
Describe as being within a 40-acre subdivision of public survey and by course and
R 53 E, MDB & M., at a point from which the SW corner of said Section
distance to a section corner. If on unsurveyed land, it should be stated.

34 bears S 34° 02' 04" W, 4071.28 feet.

6. The existing permitted point of diversion is located within **SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T 31 N,**
If point of diversion is not changed, do not answer.
R 53 E, MDB & M., at a point from which the SW corner of said Section
9 bears S 83° 24' 24" W, 4436.23 feet.

7. Proposed place of use **All of Sections 3 and 4, T 31 N, R 53 E, MDB & M.,**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
All of Section 33, 34 and 35, T 32 N, R 53 E, MDB & M.

8. Existing place of use **Same as Above**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day

10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) **Well, Pipelines. This water is to be**
State manner in which water is to be diverted, i.e. diversion structure, ditches,
used for exploration drilling of a mineral deposit.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$20,000**

13. Estimated time required to construct works **3 years**

14. Estimated time required to complete the application of water to beneficial use..... 5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

If the exploration drilling proves out an ore body then these waters would be used for mining and milling of the ore body. The total combined duty of water under permits 43925, 44052, 44056, 46346, 46347 and 47341 shall not exceed 6.0 cfs and 587.8 million gallons annually.

s/Duane V. Merrill
By Duane V. Merrill, Agent
515 South Fifth Street
Elko, NV 89801

Compared.....jm/ pm.....

Protested.....

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I.....

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this.....day of.....

Certificate No..... Issued..... A.D. 19.....

2407 (Rev. 6-81)

State Engineer

WITHDRAWN BY APPLICANT

JUN 10 1988

STATE ENGINEER

Peter L. Montoya